United States Marine Corps
Inspector General

Intelligence Oversight

MR EDWIN T. VOGT
Director
Intelligence Oversight Division

BRIEFING TOPICS

- MISSION AND ORGANIZATION
- INTELLIGENCE OVERSIGHT TRENDS
- REPORTING AND ISSUE RESOLUTION
- PROGRAM ASSESSMENT

Oversight Division

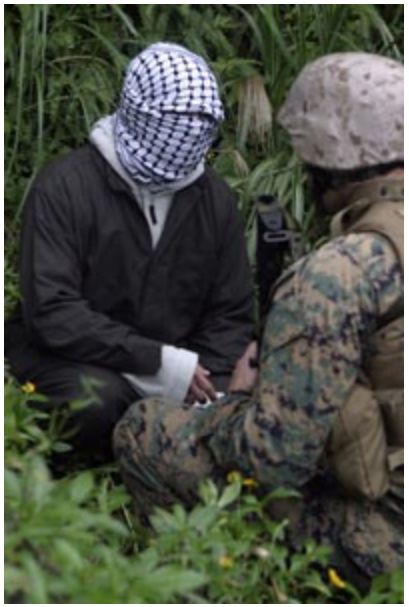
- **Oversight of intelligence and non-intelligence "Sensitive Activities"**

- **Includes: Intelligence, counterintelligence, covered/clandestine actions, special access programs, support to law enforcement agencies, special operations, special activities**

Sensitive Activities

- Sensitive Activities are activities, by their very nature, that require special oversight to reduce the potential for:
  - Physical risk to DON personnel or property
  - Issues of unlawful/improper conduct
  - Public embarrassment
- May require special protection from disclosure

ISSUES ASSIGNED TO IGMC-IO



INTELLIGENCE ACTIVITIES

Why Intelligence Oversight

1960/70'S

Vietnam/Civil Rights era abuses:

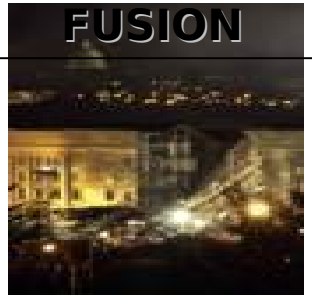
- **Infiltration of college campuses and domestic orgs**
- **Involvement in domestic political issues**
- **Surveillance of war protestors**

Intel Oversight Laws, Executive Orders, & Regulations

WHY INTELLIGENCE OVERSIGHT?

Relevance in the Current Environmen

GWOT AND TRANSFORMATION	FORCE PROTECTION	EVOLVING CAPABILITIES
PRE-DEPLOYMENT TRAINING & COMMAND RESPONSIBILITIES	INFORMATION SHARING & INTELLIGENCE FUSION	OPEN SOURCE COLLECTION



EXAMPLES OF SENSITIVE ACTIVITIES

- **Lethal support/training to Non-USMC/DoD agencies**
- **Use of Marines in law enforcement undercover ops**
- **Loan of gear/training support to civilian law enforcement agencies**
- **“Covered/clandestine” activities CONUS/OCONUS**
- **CONUS off-base urban training**
- **Intelligence collection of info on U.S. persons**
- **Special Access Programs (SAPs)**
- **Support/agreements to certain Govt (DoS, CIA) or non-Govt agencies**

WHY INTELLIGENCE OVERSIGHT?

Relevance in the Current Environmen

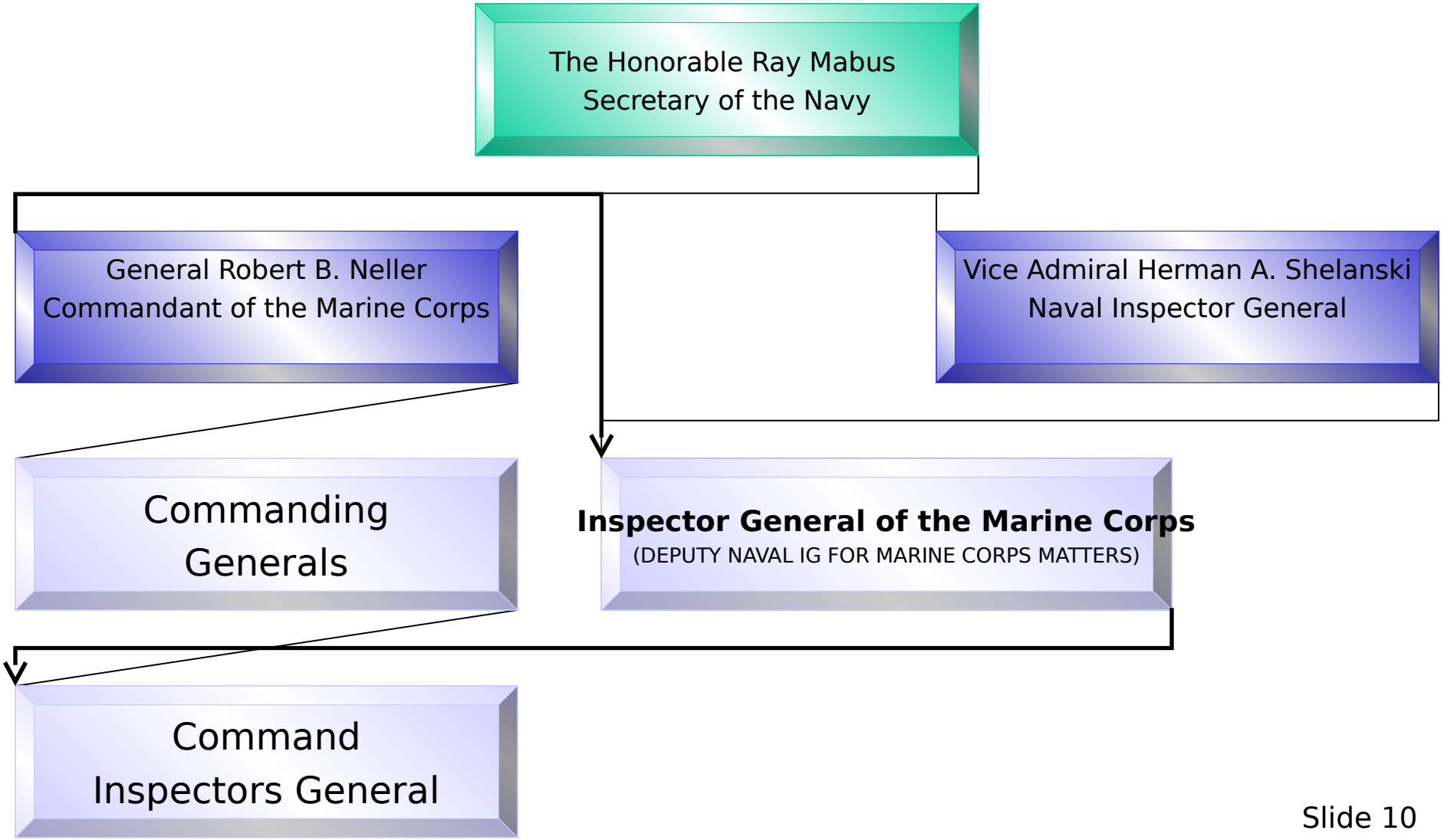
PROTECT USMC INTERESTS

PROTECT CONSTITUTIONAL RIGHTS

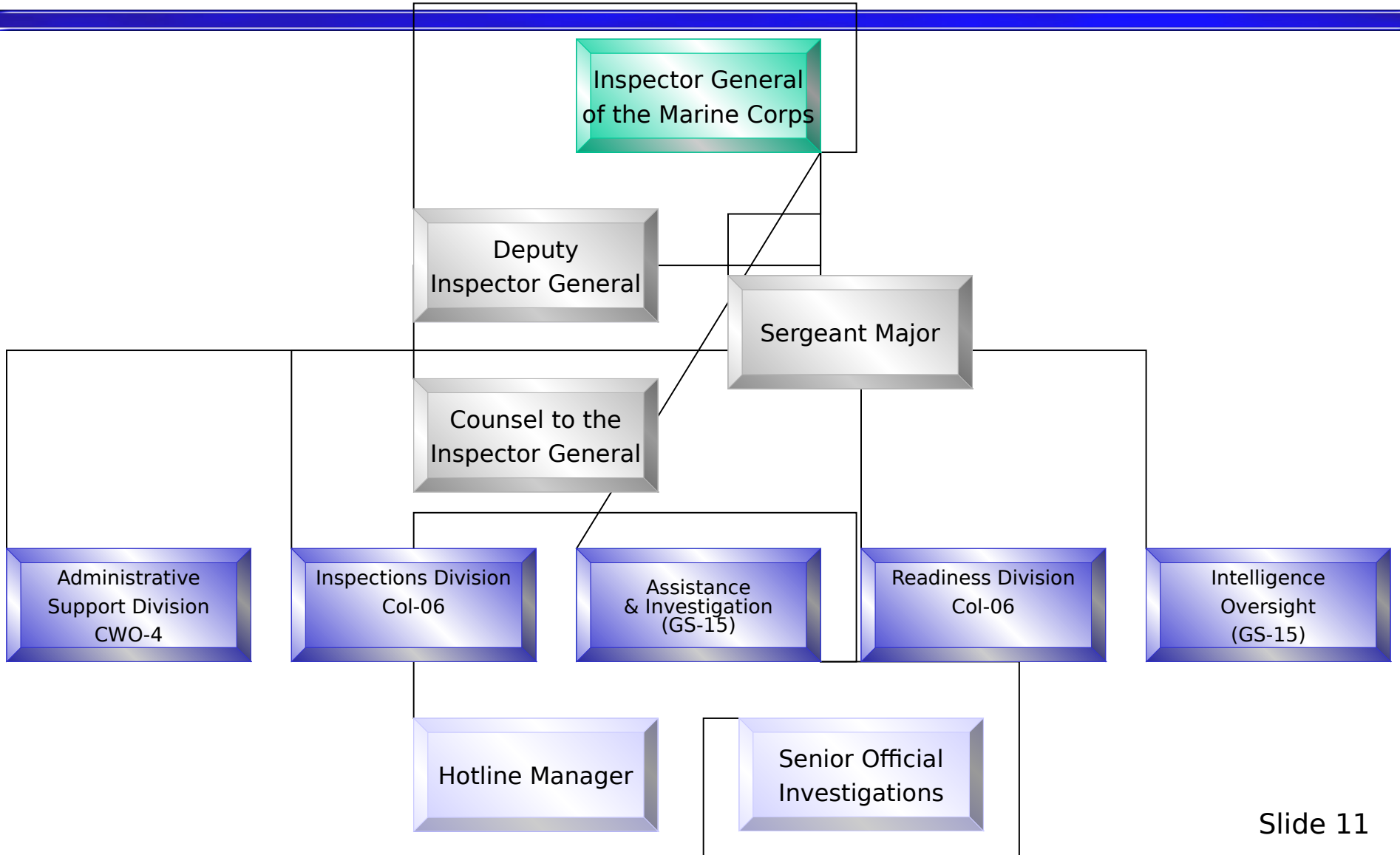
PERFORM INTELLIGENCE ACTIVITIES LAWFULLY

REPORT QUESTIONABLE ACTIVITIES

IGMC Relationships
(within the Department of the Navy)


The Honorable Ray Mabus
Secretary of the Navy
General Robert B. Neller
Commandant of the Marine Corps
Vice Admiral Herman A. Shelanski
Naval Inspector General
Commanding Generals
Inspector General of the Marine Corps
(DEPUTY NAVAL IG FOR MARINE CORPS MATTERS)
Command Inspectors General

IGMC Organization



Intelligence Oversight Presidential Charter

INTELLIGENCE OVERSIGHT BOARD

SECDE

F

QUARTERLY REPORT

Department of Defense General Counsel

SIOO

POLICY AND GUIDANCE

COMPLIANCE INSPECTIONS

ecretary of Defense
Ashton Carter

Deputy
ecretary of Defense
Robert Work

ATSD
(Civil Support)

DoD Acting Inspector
General Glen Fine

General
Counsel

ASD
(Legislative
Affairs)

ASD
(Public Affairs)

Director
Administration
and Management

USD
(Policy)

USD
(Comptroller)

USD
(Personnel &
Readiness)

USD
(Intelligence)

Director
Operational Test
& Evaluation

USD
(Acquisition
Technology
and Logistics)

O MR. MAHAR RESPONSIBLE FOR THE OVERSIGHT
ALL INTELLIGENCE / COUNTER INTEL ACTIVITIES
IN THE DEPARTMENT OF DEFENSE

Intelligence Oversight Triangle

Commanders Remain Responsible for Everything the Unit Does or Fails to Do

Intelligence Professional

Inspector General of the Marine Corps

Staff Judge Advocate
to the Commandant of the Marine Corps

A system of checks and balances to mitigate risk

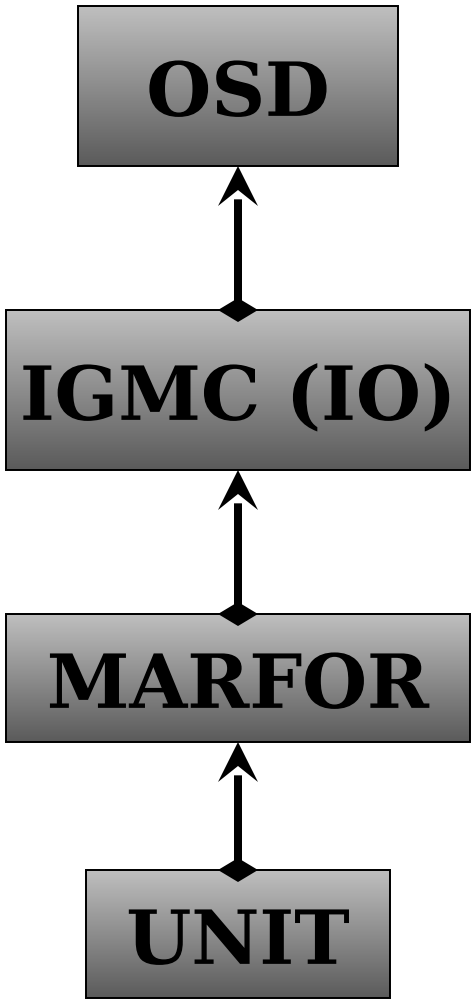
Trends
What We Are Seeing in DoD

- **Inspections**
  - **Execution of Intelligence Activities is Generally Good**
  - **Troops Get Trained—Leaders and Contractors Don't**
  - **Unimaginative Training Leads to Poor Retention**
  - **Lack of Non-Intel Leader Awareness and Emphasis on IO**
  - **Loss of High Demand Low Density Personnel to the Private Sector**
- **Reports of Questionable Intelligence Activity (Procedure 15)**
  - **Conduct of Intelligence Activities without Appropriate Authority**
  - **Personnel Misconduct in the Course of Intelligence Operations**
  - **Failure to Report Questionable Activities**

IO Reporting Requirements & Resolution

- **Reporting is Non-Negotiable**
- **Report All Questionable Activity**
  - ✓ **Confirmed and Possible Violations**
- **Report To Intel Oversight Within 5 Working Days of Discovery**
  - ✓ **MARFOR, IGMC, SJA, Command Channels or VFR Direct**

USMC Procedure 15 Reporting Chain



SIOO

OGC

IGMC (GC)

SJA (C)

IO Chain
5 days to report

Intelligence Component

SJA

IG

DoD 5240.1-R Procedures

1. General Provisions
2. **Collection of Info on U.S. Persons**
3. **Retention of Information**
4. **Dissemination of Information**
5. Electronic Surveillance
6. Concealed Monitoring
7. Physical Searches
8. Searches of Mail
9. Physical Surveillance
10. Undisclosed Participation in Organizations
11. Contracting for Goods and Services
12. Assistance to Law Enforcement
13. Experimentation on Humans
14. Employee Conduct
15. **Questionable Activities**

One Last Point On Reporting Questionable Intelligence Activities

"In the information age, the bad news is going to get out… the only question is who will tell it first and will they tell it accurately."

- Torie Clark
Former Asst. SECDEF for Public Affairs

INTELLIGENCE OVERSIGHT
Getting Started with Your Units

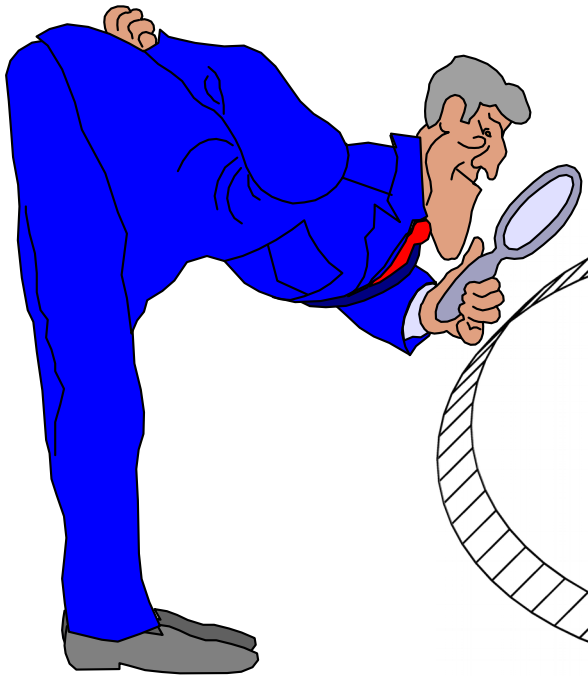
- **Do your homework and read the regulations.**

- **Identify subordinate Intel units and/or activities.**

- **Get your Staff Judge Advocate involved.**

- **Inspect as part of the CGIP:**
  - ✓ **Training program in place**
  - ✓ **Understanding of appropriate activities**

GOOD IO PROGRAM COMPONENTS



INSIGHT

OVERSIGHT

FORESIGHT

COMPONENT BREAKDOWN

- INSIGHT- Knowledge of programs and potential pitfalls
- OVERSIGHT – Review of programs for compliance with current laws and directives
- FORESIGHT – Determine way ahead to mitigate future problems and set path for future lawful conduct

GOOD INTELLIGENCE OVERSIGHT PROGRAM INDICATORS

- COMMAND AND LEADER EMPHASIS
- CODIFY RESPONSIBILITIES AND REQUIREMENTS
- FORMALLY APPOINT IO OFFICIAL
  (Whom Everyone Knows)
- TRAINING – EARLY AND OFTEN – WITH CREATIVE REINFORCEMENT

GOOD INTELLIGENCE OVERSIGHT PROGRAM INDICATORS

- MUST BE AN ACTIVE PART OF ALL OPERATIONAL PLANNING AND EXECUTION
- ACTIVE INVOLVEMENT BY SJA
- QUESTIONABLE ACTIVITY REPORTING
  - Timeliness
  - Prompt and Appropriate Corrective Action
- ACCURATE / CURRENT RECORDS & FILES

Perception is Reality

- Perception becomes reality
- Hollywood Conspiracy Theory e.g. , Clear and Present Danger, Enemy of the State, The Siege, Watchdog groups

INTELLIGENCE OVERSIGHT IS A GOOD THING

- ENSURES PROTECTION OF CONSTITUTIONAL RIGHTS

- PROTECTS USMC'S GOOD NAME

- DEMONSTRATES THAT THE MARINE CORPS IS POLICING
IT'S OWN INTELLIGENCE ACTIVITIES

- PROCEDURE 15 - ALTERNATE REPORTING CHANNEL
NOT A DISCIPLINARY REPORT

BOTTOM LINE:

ATTEND TO IO RESPONSIBILITES UP FRONT OR….
GET HELP ATTENDING TO DAMAGE CONTROL LATER

Summary/Conclusion

“A free people have long had to decide where to plant the flag on that inevitable spectrum between security and liberty. We have always planted it close to liberty.”

- General Michael V. Hayden USAF
Director of the Central Intelligence Agency

Questions?

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Director Intelligence Oversight

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